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BEFORE THE
Federal Communications Commission
WASHINGTON, D.C.

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Federal Communications Commission
Office of Secretary

In the Matter of)
)
The North American Numbering)
Council's North American Numbering) CC Docket No. 92-237
Plan Administrator and Billing)
And Collection Agent)
Recommendation)

COMMENTS OF THE
CELLULAR TELECOMMUNICATIONS INDUSTRY ASSOCIATION

The Cellular Telecommunications Industry Association ("CTIA")¹ respectfully submits comments in this proceeding.² CTIA opposes the North American Numbering Council's ("NANC") recommendation that Lockheed Martin Corp. ("Lockheed") serve as the new North American Numbering Plan Administrator ("NANPA"). Instead, the Commission should name Mitretek Systems ("Mitretek") as the new NANPA. CTIA believes that Mitretek will better serve the Commission's policy objectives of making numbering resources available on an

¹ CTIA is the international organization of the wireless communications industry for both wireless carriers and manufacturers. Membership in the association covers all Commercial Mobile Radio Service ("CMRS") providers, and includes forty-eight of the fifty largest cellular, broadband PCS, enhanced specialized mobile radio, and mobile satellite providers. CTIA represents more broadband PCS carriers and more cellular carriers than any other trade association.

² See Public Notice, "The North American Numbering Council (NANC) Issues Recommendations on the North American Numbering Plan Administrator, Billing and Collection Agent, and Related Rules; Pleading Cycle Established," DA 97-1055 (May 19, 1997).

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efficient, timely basis to communications services providers, and not unduly favoring any particular industry segment or technology.

I. Mitretek's Suggested Staffing Levels Assure that the Numbering Administration Demands of the Industry Will be Met

A closely divided NANC cited as one of its main concerns with choosing Mitretek as the NANPA "the significantly higher price of the Mitretek proposal which reflected Mitretek's larger staff relative to other respondents' proposals."³ Mitretek's staffing proposal, however, reflects its very realistic assessment of the resources required to meet the industry's needs and assures that the Central Office ("CO") Code administration and Numbering Plan Area ("NPA") Relief Planning demands of the industry, including new entrants, will be met.⁴ In contrast, the level of support proposed by Lockheed places the industry at risk at a critical time.

The Commission has recognized that "[a]dequate telephone numbers, available through a uniform numbering plan, are essential to provide consumers efficient access to new telecommunications services and technologies and to support continued growth of an economy increasingly

³ NANC's Recommendation on the NANP Administrator and Billing and Collection Agent, at ¶ 3.2 (May 15, 1997) ("NANC Recommendation").

⁴ See NANPA Working Group Evaluation Team Report to the North American Numbering Council, at ¶ 3.2 ("NANPA Recommendation").

dependent upon those services and technologies."⁵ As more competitors build out their systems, numbers have become a scarce resource that, if unavailable, can prevent a carrier from entering the market.⁶

The NANPA must be equipped with the staff and resources to undertake a myriad of tasks, many of which will require immediate attention. For example, there are over 20 NPAs in "jeopardy,"⁷ which require immediate attention by the new NANPA. NPAs that are in jeopardy require special conservation measures, while NPAs that are in a state of "extraordinary jeopardy" require more extreme measures such as rationing and lotteries for the distribution of remaining codes. The new NANPA must have the resources to not only implement measures to provide relief in these areas, but it is also imperative that the new NANPA have the capability to ensure that the industry does not find itself in this position in the future. In addition to implementing jeopardy conservation procedures, the NANPA also will be required to handle the significant amount of area code

⁵ Administration of the North American Numbering Plan, Notice of Proposed Rulemaking, 9 FCC Rcd 2068, at ¶ 2 (1994).

⁶ In California, for instance, the allocation of three NPAs was frozen for two months in an emergency measure because phone numbers were "being devoured at an alarming rate." Louis Trager, "New Area Code Buys a Little Time; Phone Prefix Freeze Expected to End, but More Rationing Likely to Follow," p. B-1, San Francisco Examiner (Aug. 16, 1996).

⁷ Jeopardy is declared when it is believed the number of NXXs remaining will not last until a code relief plan can be implemented.

relief underway, and process a growing number of code applications.⁸

In light of the resource-intensive and time sensitive tasks affecting competition that the NANPA must undertake, Mitretek's proposal provides a staffing level that better reflects the industry's needs.⁹ Specifically, Mitretek proposes a staffing level of 53 employees, as compared with Lockheed's proposed initial staffing of 25 employees. After careful consideration, the NANPA Working Group¹⁰ also determined that Mitretek presented the best solutions for the new NANPA. This determination was based, in part, on the finding that Mitretek's suggested level of staffing would meet the industry's demands. Given the current demands on numbering resources, selecting an Administrator that fully understands the requirements and needs of the industry would better serve the public interest.

⁸ Bellcore noted that the number shortage is "a trend we don't see ending any time soon." Approximately 70 new area codes have been assigned since numbers started running out in 1995. Moreover, 6 new area codes were assigned in the month of April alone. Communications Daily, "State Regulators Grapple with National Telephone Number Shortage" (May 7, 1997).

⁹ Additionally, contrary to the NANC's concerns over Mitretek's total cost, Mitretek's proposal is more cost effective than that of Lockheed's in that Mitretek's cost per person is the lower of the two. See NANPA Working Group Report, at 12 (stating that Lockheed's cost per person was the highest when compared to other respondents).

¹⁰ The NANC formed the NANPA Working Group, which was representative of the telecommunications industry, to assess the merits of the NANPA proposals and make a recommendation to the NANC.

Carriers' support (through the recommendation of the NANPA Working Group) and willingness to pay for the additional level of staffing and support proposed by Mitretek shows that NANC was wrong to accord greater weight to the lowest bid. The fact that the entities who ultimately will be responsible for financing NANPA activities are willing to pay for the additional level of support included in the Mitretek proposal should be determinative.

II. Selection of Mitretek as Administrator Will Enhance Vendor Diversity and a Competitive Market

Administration of the NANP involves a multitude of tasks.¹¹ Currently, Lockheed already performs 800/888 Help Desk and LNP NPAC functions for the industry. In contrast, Mitretek will be performing only the NANP administration and no other types of numbering administration. Hence, selection of Mitretek would provide another supplier of numbering administration services and enhance the vendor diversity and competitive market for such services.

Additionally, because Lockheed already performs other types of numbering administration functions, it may possess substantial leverage over the industry and increase the potential for recreating a numbering regime where one entity obtains a monopoly position over administration functions.

¹¹ For instance, numbering administration includes not only the assignment of numbers, but also administration of 800/SMS access, CO code assignments, maintaining of numbering databases, and initiation of number conservation and reclamation efforts.

By selecting an independent entity such as Mitretek, there is less of a chance that the industry will be subjected to risks associated with relying on a single provider of number administration services.

CONCLUSION

For the reasons stated above, the Commission should select Mitretek as the new NANP Administrator. This selection will ensure that the numbering administration needs of the telecommunications industry will be met and, in turn, will promote a competitive marketplace.

Respectfully submitted,


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